

## GENERAL FORMS USED IN SMALL CLAIMS COURT



**STATEMENT OF CLAIM  
(Complaint)  
General**

CASE NUMBER

**IN THE SMALL CLAIMS COURT OF JEFFERSON COUNTY**

Plaintiff  
Address

Against

Defendant  
Address

Attorney  
Address

Additional  
Defendant

**NOTICE TO EACH DEFENDANT - READ CAREFULLY**

YOU ARE BEING SUED IN THE SMALL CLAIMS COURT BY THE PLAINTIFF(S) SHOWN ABOVE. THE JUDGE HAS NOT YET MADE ANY DECISION IN THIS CASE, AND YOU HAVE THE RIGHT TO A TRIAL TO TELL YOUR SIDE.

HOWEVER, IF YOU, OR YOUR LAWYER, FAIL TO FILL OUT THE ENCLOSED ANSWER FORM AND DELIVER OR MAIL IT TO THE CLERK AT THE ADDRESS SHOWN BELOW, SO THAT IT WILL GET TO THE CLERK'S OFFICE WITHIN FOURTEEN (14) DAYS AFTER YOU RECEIVE THESE PAPERS, A JUDGMENT CAN BE TAKEN AGAINST YOU. ONCE A JUDGMENT HAS BEEN ENTERED AGAINST YOU, YOUR PAYCHECK CAN BE GARNISHED AND/OR YOUR HOME OR PROPERTY SOLD TO SATISFY THAT JUDGMENT.

**COMPLAINT**

1. I claim the defendant owes the plaintiff the sum of \$\_\_\_\_\_ because:
2. Plaintiff also claims from the defendant court costs in the sum of \$\_\_\_\_\_ (see note below), plus \$\_\_\_\_\_ for interest and \$\_\_\_\_\_ for lawyers fees (**only** if plaintiff is represented by a licensed, practicing attorney and if the contract or note you signed so provides).

NOTE: The total amount of court costs may be more than this amount when the case is finally settled. The clerk will inform you of any additional costs at the close of the case.

  
Clerk

By: \_\_\_\_\_

Plaintiff or Attorney (Signature)

CLERK ADDRESS: **DISTRICT COURT OF JEFFERSON COUNTY, CIVIL  
ROOM 500  
716 RICHARD ARRINGTON JR BLVD N  
BIRMINGHAM, ALABAMA 35203  
205-325-5331**

PHONE NO. \_\_\_\_\_

**SEE INSTRUCTIONS ON THE BACK**

## INSTRUCTIONS TO THE PLAINTIFF(S)

This is your case, and if you are acting as your own lawyer, you are responsible in seeing that your claim is successfully presented at each stage of the procedure until it is concluded.

The Clerk of the Court has a handbook which tells you how to handle a Small Claims case. That book is free to you on request. If you need any additional help, ask the Clerk assigned to Small Claims cases.

1. You must complete one of these forms for each defendant you wish to sue. Each defendant must be described by his correct legal name and address not a post office box). Be as brief as possible but include every important name, date and place.
2. To start your case you must file the completed form with the Clerk assigned to Small Claims cases. The Clerk will stamp a copy for you to show that the case has been filed and will insert the number of the case on the front of this form.
3. If you haven't heard from anyone about the case in about fourteen days, then check with the Clerk's office, to make sure that each defendant has been served.
4. If any of the defendants ask for a trial, you will be notified of the place, the date, and the time. You must be present or your case will be dismissed. You may take a judgment by default fourteen (14) days after the defendant has received a copy of this form, if the defendant fails to file his Answer.
5. You are responsible to see to the enforcement of any judgment that is awarded to you. The Small Claims Handbook will tell you how to go about recovering your money.

ANY TIME YOU CONTACT THE CLERK ABOUT THIS CASE YOU MUST REFER TO THE CASE NUMBER ON THE FRONT.

**PERSONAL SERVICE:** served on the defendant(s) named \_\_\_\_\_  
by delivering a copy of the summons and complaint to him.

DATE SERVED \_\_\_\_\_

CONSTABLE \_\_\_\_\_

PROCESS SERVER \_\_\_\_\_

**SERVICE ON DEFENDANT BY AUTHORIZED AGENT AT RESIDENCE:** service of process on person SUI JURIS served the defendant(s) named \_\_\_\_\_ a copy of the summons and complaint on an authorized resident of said household.

DATE SERVED \_\_\_\_\_

\_\_\_\_\_ served for \_\_\_\_\_  
(person served) defendant(s)

\_\_\_\_\_ is of suitable age and is a resident of said household or is  
(person served) an authorized agent.

CONSTABLE \_\_\_\_\_

PROCESS SERVER \_\_\_\_\_

## SUMMONS

### INSTRUCTIONS TO SHERIFF OR PROCESS SERVER

To Any Sheriff or Any Person Authorized by Rule 4.1 (b) (1) or 4.1 (b) (2) 4 (c) (1) of the Alabama Rules of Civil Procedure to Effect Service in the State of Alabama:

You are hereby commanded to serve this summons and a copy of the Statement of Claim in this action upon the defendant named on the reverse side and make proper return to this court.

DATE RECEIVED \_\_\_\_\_

*Anne Marie Adams* By: \_\_\_\_\_  
Clerk

<b>State of Alabama</b> <b>Unified Judicial System</b> Form SM-2J Rev. 2/01	<b>STATEMENT OF CLAIM</b> <b>(Complaint)</b> <b>For Specific Property</b>	CASE NUMBER
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**IN THE SMALL CLAIMS COURT OF JEFFERSON COUNTY**

 Plaintiff  
 Address

 Attorney  
 Address

Against

 Defendant  
 Address

**NOTICE TO EACH DEFENDANT – READ CAREFULLY**

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**COMPLAINT**

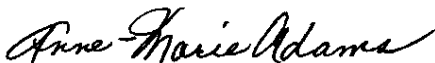
1. Plaintiff demands right to possession from the defendant of the following property:

Otherwise, plaintiff claims the sum of \$ \_\_\_\_\_ from the defendant as the alternate value of this property.

2. Plaintiff also claims from the defendant the sum of \$ \_\_\_\_\_ for the use of this property from \_\_\_\_\_ to the present.

3. Plaintiff also claims from the defendant court costs in the sum of \$ \_\_\_\_\_ (see note below) and \$ \_\_\_\_\_ for lawyers fees (**only** if plaintiff is represented by a licensed, practicing attorney and if the contract or note you signed so provides).

NOTE: The total amount of court costs may be more than this amount when the case is finally settled. The clerk will inform you of any additional costs at the close of the case.



By:

Clerk

Plaintiff or Attorney (Signature)

CLERK     **DISTRICT COURT OF JEFFERSON COUNTY, CIVIL**  
 ADDRESS:     **ROOM 500**

**716 RICHARD ARRINGTON JR BLVD N**  
**BIRMINGHAM, ALABAMA 35203**

PHONE NO. \_\_\_\_\_

### INSTRUCTIONS TO THE PLAINTIFF(S)

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1. You must complete one of these forms for each defendant you wish to sue. Each defendant must be described by his correct legal name and address not a post office box). Be as brief as possible but include every important name, date and place.
2. To start your case you must file the completed form with the Clerk assigned to Small Claims cases. The Clerk will stamp a copy for you to show that the case has been filed and will insert the number of the case on the front of this form.
3. You are responsible for seeing that each defendant receives a copy of this form. If you haven't heard from anyone about the case in about fourteen days, then check with the Clerk's office, to make sure that each defendant has been served.
4. If any of the defendants ask for a trial, you will be notified of the place, the date, and the time. You must be present or your case will be dismissed. You may take a judgment by default fourteen (14) days after the defendant has received a copy of this form, if the defendant fails to file his Answer.
5. You are responsible to see to the enforcement of any judgment that is awarded to you. The Small Claims Handbook will tell you how to go about recovering your money.

ANY TIME YOU CONTACT THE CLERK ABOUT THIS CASE YOU MUST REFER TO THE CASE NUMBER ON THE FRONT.

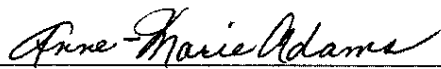
### SUMMONS

#### INSTRUCTIONS TO SHERIFF OR PROCESS SERVER

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You are hereby commanded to serve this summons and a copy of the Statement of Claim in this action upon the defendant named on the reverse side and make proper return to this court.

Date Received \_\_\_\_\_

 By: \_\_\_\_\_  
Clerk

Served on the defendant(s) named \_\_\_\_\_

by delivering a copy of the Summons and Statement of Claim to him in \_\_\_\_\_  
County, Alabama.

Date Served \_\_\_\_\_

\_\_\_\_\_  
Process Server Signature

This service by Certified Mail of this Summons and Statement of Claim is initiated upon the request of \_\_\_\_\_

\_\_\_\_\_ pursuant to Rule 4.1 (c) of the Alabama Rules of Civil Procedure.

Date Requested \_\_\_\_\_

Date Mailed \_\_\_\_\_

Return Receipt Date \_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_  
Clerk

**DEFENDANT'S ANSWER**

Case Number

SM  
ID YR Number

IN THE SMALL CLAIMS COURT OF JEFFERSON COUNTY

Plaintiff: \_\_\_\_\_ Against Defendant: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

**Part I**

**DEFENDANT'S ANSWER TO THE COMPLAINT**

Check One:

- A. \_\_\_\_\_ I do not live in this county. I want this case transferred to my home county of \_\_\_\_\_
- B. \_\_\_\_\_ I admit everything in the Statement of Claim and do not want a trial. (This means that you consent to a judgment for the amount claimed plus court costs.)
- C. \_\_\_\_\_ I admit that I owe some money, but not the total amount claimed by the plaintiff(s). (Explain below)
- D. \_\_\_\_\_ I deny that I am responsible at all. (Explain below)

IF YOU CHECKED "C" OR "D", BRIEFLY EXPLAIN THE REASONS FOR YOUR ANSWER.

Name of Employer	Business Phone Number
Address of Employer	Weekly Take-Home Pay
	<small>This will be helpful to the Court, but you are not required to give this information.</small>

**Part II. BE SURE TO SIGN THIS FORM BEFORE MAILING.**

1. Mail the original (white copy) to the Small Claims court at the address below.
2. Keep the yellow copy for your files.

Defendant/Attorney (Signature) \_\_\_\_\_

ADDRESS:

District Court of Jefferson County Civil  
Room 500  
716 Richard Arrington Jr. Blvd. N.  
Birmingham, Alabama 35203  
205-325-5331

Phone No. \_\_\_\_\_

**SEE INSTRUCTIONS ON THE BACK**

## INSTRUCTIONS TO EACH DEFENDANT

### Answer Only

1. You **MUST** fill out this form **AND** deliver or mail a copy of it to the Clerk at the address on the front, **SO IT WILL ARRIVE AT THE CLERK'S OFFICE WITHIN 14 DAYS AFTER THE STATEMENT OF CLAIM WAS DELIVERED TO YOU.** You must complete this form even if you admit you are responsible for part—not all—of what the Plaintiff(s) claims.
2. If you need help completing this Answer or wish to file a Counterclaim against the plaintiff, or want more information, call or come by the Clerk's office at the address on the front. Always refer to your Case Number on the front of this form or the Statement of Claim.
3. **IF YOU CHOOSE TO MAIL THIS FORM TO THE CLERK, YOU SHOULD CHECK WITH THE CLERK'S OFFICE AFTER SEVERAL DAYS TO MAKE SURE IT WAS RECEIVED ON TIME.** Be sure to refer to your Case Number. This Answer must be received by the Clerk within 14 days from the date it was delivered to you.
4. **BE SURE TO KEEP A COPY OF YOUR ANSWER FOR YOUR SELF.** After it is received by the clerk, you will be sent a Notice of the time and place of your trial if you have denied what the plaintiff claims.



## DEFENDANT'S COUNTERCLAIM

Case Number

SM  
ID YR Number

Date Filed

IN THE SMALL CLAIMS COURT OF \_\_\_\_\_ COUNTY

Plaintiff:

Address:

against Defendant:

Address:

### PART I

#### Statement of Counterclaim Against the Plaintiff(s)

I claim the plaintiff(s) owe(s) the defendant the sum of \$ \_\_\_\_\_ because:

Defendant(s) also claims court costs.

### PART II – BE SURE TO SIGN THIS FORM BEFORE MAILING

Keep the YELLOW copy for yourself.

Mail the GREEN copy of your Answer and Counterclaim forms to the plaintiff at the address above. Mail the original (WHITE copy) to the Small Claims Clerk at the address below.

\_\_\_\_\_  
Defendant/Attorney Signature

Clerk

Address:

Address:

Phone No.

Phone No.

SEE INSTRUCTIONS ON THE BACK

## **INSTRUCTIONS TO DEFENDANT – COUNTERCLAIM**

1. If you have any claim against the plaintiff(s), you may set it out on the front of this form. **BEFORE** you deliver or mail a copy of your answer form to the clerk, you must mail an additional copy of your Answer and Counterclaim forms to the plaintiff, at the address found on the front of the Statement of Claim (Complaint) served on you.
2. **IT IS YOUR RESPONSIBILITY TO COMPLETE THIS COUNTERCLAIM FORM AND MAKE SURE A COPY OF THE COUNTERCLAIM AND ANSWER ARE FILED WITH THE CLERK AND PROPERLY MAILED OR DELIVERED TO THE PLAINTIFF.** The Answer and Counterclaim must be filed with the clerk and with the plaintiff within 14 days from the date the original Statement of Claim was served on you.
3. **BE AS BRIEF AS POSSIBLE**, but include every important name, date, and place. Examples of how to state a claim may be found in the Small Claims Handobok.
4. If you need any help, or desire information, ask the clerk of the Small Claims Court for instructions.